

California Youth Authority Guidelines

State of California Department of Health Services

M e m o r a n d u m

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To: John Brady, CHSA II
Department of the Youth Authority

From: Paul Fitzmaurice
Environmental Specialist IV
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Subject: Implementation of Healthy Schools Act-Youth Authority

In response to our recent conversation regarding the implementation of the Healthy Shools Act by the Youth Authority, we contacted representatives of the Department of Pesticide Regulation and the Department of Education and discussed the matter.

The law, designed to change pest control practices at schools to incorporate the least toxic means of control includes a section [Education Code, Article 4, Chapter 5, Part 10.5, Section 17612 (e)] in which California Youth Authority schools are instructed what measures are required to be taken by Youth Authority facilities to comply with the Act.

Specifically, the school administator is required to notify the chief medical officer (CMO) of the facility at least 72 hours prior to application of pesticides and the CMO is required to take all steps necessary to protect the health of the pupils in that facility. Guidelines were not developed to clarify this "all steps necessary".

After consultation with affected agencies, we recommend that the following action be taken by Youth Authority facilities to comply with the Act. These measures, in our opinion, would be considered reasonable and would provide the required protection to the wards at the facility.

- The CMO of each facility should receive a list of all pesticides that would be anticipated to be used in the facility during the calendar year. Attached to the list should be a copy of the product label (or product EPA registration number), and the Material Safety Data Sheet (MSDS) for each item on the list. [California Code of Regulations (CCR), Title 3, Division 6, Chapter 3, section 6723]
- Existing law [Food and Agricultural Code (FAC), section 12973] requires any user of a pesticide to comply with the label.
- Existing law CCR, sections 6618, 6624 & 6627 detail notification, pesticide use records, and reporting requirements for licensed Pest Control Businesses (PCB), while FAC, section 13186 requires specific pesticide use information for school site applications by PCBs. Also, staff assigned pest control duties and contracted pest control companies should provide the CMO 72-hour notice of specific pest control applications.
- The yearly list of pesticides anticipated to be used should be posted at the entry to the facility and a copy should be provided to all staff members.
- Existing regulations require employers to have a written training program and to assure employees are

trained before handling any pesticide. [CCR, section 6724] Staff responsible for pest control applications should contact the local County Agricultural Commissioner's (CAC) Office for assistance with determining applicable pesticide regulations. Staff responsible for pest control applications should keep detailed records of material used (including product EPA registration number), amount used, application locations, pests controlled, and date of application.

- The CMO should thoroughly investigate any complaint or suspected illness due to application of a pesticide and take appropriate action (e.g. filing of pesticide illness report with local CAC).
- The purpose of the law is to reduce the use of toxic pesticides at a school site; facilities may wish to institute policies to stress integrated pest management (IPM) practices and to reduce the use of pesticides when such measures as sanitation and exclusion can help to achieve the desired control. Also, if a CMO reviews label and MSDS information (as well as accessing the Department of Pesticide Regulation's "School IPM" Web site at www.cdpr.ca.gov/docs/schoolipm) and determines that the use of a material presents an unacceptable risk or is inappropriate for the situation he/she should restrict its use.

It should be noted that the law exempts products that are deployed as self-contained baits or traps, gels or pastes deployed as "crack or crevice" treatments, and pesticides that are exempt from federal regulations, or to anti-microbial pesticides, including sanitizers and disinfectants.

If you have any questions please contact Mark Jeude at (916) 323-2758 or me at (916) 445-4409.

John Brady

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